

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**
NINETEENTH DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 4, 2004

The Senate was called to order at 2:00 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

ABSENT

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

Prayer

The prayer was offered by Brother Robert Burns, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Petitions, Memorials and
Communications**

The following petitions, memorials and communications were received and read:

STATE OF LOUISIANA
Secretary of State

May 3, 2004

The Honorable Donald E. Hines, M.D., President
Louisiana State Senate
P.O. Box 94183
Baton Rouge, LA 70804

RE: Senate Confirmation of the Deputy Secretary for the office of the uniform commercial code, Department of State

Dear Mr. President and Members of the Senate:

Pursuant to the La. R.S. 36:745, I have appointed Ms. Amy T. Caballero as the Deputy Secretary for the office of the uniform commercial code. I respectfully request Senate confirmation of this appointment.

Sincerely,
FOX MCKEITHEN
Secretary of State

**Privilege Report of the
Legislative Bureau**

May 4, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 203—
BY REPRESENTATIVE FRITH
AN ACT

To authorize and provide for the transfer of certain state property in Vermilion Parish to the Vermilion Parish Police Jury; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 327—
BY REPRESENTATIVE DURAND
AN ACT

To authorize and provide for the transfer of certain state property situated in St. Martin Parish to the respective lessees; to provide for certain terms and conditions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 637—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To authorize and provide for the transfer of certain state property in Sabine Parish to the Department of Transportation and Development; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 657—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To authorize and provide for the transfer of certain state property in Assumption Parish to the Assumption Parish Police Jury; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 914—

BY REPRESENTATIVE MCVEA
AN ACT

To authorize and provide for the exchange of certain state property in West Feliciana Parish to West Feliciana Parish Police Jury; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 944—

BY REPRESENTATIVES SCALISE, BOWLER, ALARIO, ANSARDI, BRUNEAU, LABRUZZO, LANCASTER, MARTINY, AND WOOTON AND SENATORS BOISSIERE, HEITMEIER, HOLLIS, LENTINI, AND ULLO
AN ACT

To enact R.S. 33:4570.12, relative to naming of public grounds; to name a portion of LaSalle Park in Jefferson Parish as the Oswald-Dubea Arboretum and Nature Center of LaSalle Park; to provide for an exemption from R.S. 14:316; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1276—

BY REPRESENTATIVES MONTGOMERY, HUNTER, MARTINY, AND MURRAY AND SENATORS MOUNT, CRAVINS, JONES, AND LENTINI
AN ACT

To amend and reenact R.S. 15:1202(A)(introductory paragraph) and 1204.1(A) and (B)(11), R.S. 36:401(B)(1) and (2) and (C)(1), 402, 405(A)(1)(introductory paragraph) and (c) and (2), (B), and (C), 406(A), (B)(3), and (C), 407(B) and (C), and 408(G)(1) and (H), R.S. 39:21.3(D), and R.S. 46:2602(B)(3) and to enact R.S. 15:1202(A)(27), 1228.2(10), and 1228.3(14) and R.S. 36:405(D) and 406(B)(4), relative to the reorganization of the Department of Public Safety and Corrections; to create youth services as an organizational unit of the department; to provide for the composition and officers of youth services; to provide for creation of the office of management and finance for youth services; to place the office of youth development within youth services; to provide for the powers, duties, functions, and responsibilities of department officers; to provide for office functions; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for implementation; to provide for effective dates; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 55—

BY SENATOR HOLDEN

A RESOLUTION

To recognize Tuesday, May 4, 2004, as Southern University Day in the state of Louisiana.

On motion of Senator Holden, the resolution was read by title and adopted.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 3, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 395—

BY REPRESENTATIVES ALARIO, ANSARDI, BOWLER, DAMICO, MARTINY, SHEPHERD, TOOMY, TUCKER, AND WOOTON AND SENATORS BOISSIERE, HAINKEL, HOLLIS, LENTINI, AND ULLO
AN ACT

To authorize and provide for the exchange and transfer of certain state property situated in Jefferson Parish between the Department of Culture, Recreation and Tourism and the Jefferson Parish Council; and to provide for related matters.

HOUSE BILL NO. 1354—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:773.1(A)(2)(o), 773.2(B) and (F)(1), and 775(A)(7)(introductory paragraph), (8), and (9) and (B) and to enact R.S. 32:775(A)(10), relative to used motor vehicle dealers and marine dealers; to provide relative to certain area of responsibility provisions; to provide for certain penalties for marine dealers; to provide for the commencement period for

certain penalties; to provide relative to licensing procedures; and to provide for related matters.

HOUSE BILL NO. 1112—

BY REPRESENTATIVE PINAC
AN ACT

To enact Part XIII-A of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5071 through 5077, relative to the Master Settlement Agreement; to provide for complementary procedures; to provide for definitions; to require certification; to provide for a directory of tobacco product manufacturers; to provide for an agent for service of process; to require reporting; to provide for the disclosure of information; to provide for escrow funds; to provide for penalties; to authorize the promulgation of rules; and to provide for related matters.

HOUSE BILL NO. 1419—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

HOUSE BILL NO. 1618—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 22:192(A)(4), 1142(A)(7) and (18), 1241(B), 1241.1(C), 1760(A)(3), and 3044(B)(6), relative to licensing requirements; to provide for criminal convictions; to provide for denial, suspension, or revocation of licenses; to provide for certificates of authority; to provide for consultants; to provide for statements; and to provide for related matters.

HOUSE BILL NO. 1493—

BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 32:771(4) and 773.2(B) and to enact R.S. 32:773.2(G) and (H), relative to used motor vehicles and marine product dealers; to define "boat package"; to provide relative to area of responsibility; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1409—

BY REPRESENTATIVES MONTGOMERY, BADON, BAUDOUIN, BAYLOR, BOWLER, BROOME, BRUCE, BURRELL, DAMICO, DOERGE, DORSEY, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, HEATON, HEBERT, HOPKINS, JACKSON, JEFFERSON, KENNEY, LABRUZZO, MARCHAND, MCDONALD, MURRAY, PIERRE, PITRE, T. POWELL, QUEZAIRE, ROBIDEAUX, ROMERO, SCALISE, SCHNEIDER, JANE SMITH, STRAIN, TOWNSEND, TUCKER, WADDELL, WALSWORTH, AND WINSTON

AN ACT

To repeal R.S. 3:3801(A)(5) and (B)(2), 3804(A)(2), 3807(B)(2), and 3808(B), relative to retail florists; to repeal the licensure requirements for retail florists.

HOUSE BILL NO. 994—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:222.1, relative to the crime of unauthorized interception, interference with, or retransmission of services offered over a cable television system; to provide for definitions; to provide for penalties for violations; to provide relative to disposition of equipment; to provide for an effective date; to provide for elements of the crime; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 1487—

BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 40:41(J), relative to death certificates; to require the state registrar of vital records to issue a copy of a death certificate to the Office of Student Financial Assistance, and the office of the attorney general, under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1265—

BY REPRESENTATIVES THOMPSON, PINAC, BRUCE, DOERGE, FRITH, MARCHAND, RITCHIE, SCALISE, SHEPHERD, GARY SMITH, TRAHAN, WADDELL, WALSWORTH, AND WHITE AND SENATORS ELLINGTON AND SMITH
AN ACT

To amend and reenact R.S. 36:4(L) and to enact Part IV of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:955.1 through 955.4, relative to economic development; to create the Louisiana Broadband Advisory Council; to provide that such council shall be in the Governor's Office of Rural Development; to provide for definitions; to provide for the membership, terms, and vacancies of the council; to provide for the duties of the council; to provide for assistance from other entities; to provide for staff, consultants, and the utilization of monies; and to provide for related matters.

HOUSE BILL NO. 1430—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 37:1483 and to enact R.S. 9:5608, relative to home inspectors; to provide a prescriptive period for actions against home inspectors; to provide for applicability of provisions; to provide for exceptions; to exempt certain persons from licensure requirements under the Louisiana Home Inspector Licensing Law; and to provide for related matters.

HOUSE BILL NO. 1200—

BY REPRESENTATIVES LAFLEUR, THOMPSON, AND CAZAYOUX AND SENATORS HAINKEL AND HOLDEN
AN ACT

To amend and reenact R.S. 39:81 and to enact R.S. 11:176, relative to state and statewide public retirement systems; to require each such retirement system to submit its operating budget to the Joint Legislative Committee on the Budget; to provide for review and approval of state system budgets and review of statewide system budgets; to provide for contents; to provide for modifications; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 395—

BY REPRESENTATIVES ALARIO, ANSARDI, BOWLER, DAMICO, MARTINY, SHEPHERD, TOOMY, TUCKER, AND WOOTON AND SENATORS BOISSIERE, HAINKEL, HOLLIS, LENTINI, AND ULLO
AN ACT

To authorize and provide for the exchange and transfer of certain state property situated in Jefferson Parish between the Department of Culture, Recreation and Tourism and the Jefferson Parish Council; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 994—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:222.1, relative to the crime of unauthorized interception, interference with, or retransmission of services offered over a cable television system; to provide for definitions; to provide for penalties for violations; to provide relative to disposition of equipment; to provide for an effective date; to provide for elements of the crime; to provide for exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1112—

BY REPRESENTATIVE PINAC
AN ACT

To enact Part XIII-A of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5071 through 5077, relative to the Master Settlement Agreement; to provide for complementary procedures; to provide for definitions; to require certification; to provide for a directory of tobacco product manufacturers; to provide for an agent for service of process; to require reporting; to provide for the disclosure of information; to provide for escrow funds; to provide for penalties; to authorize the promulgation of rules; and to provide for related matters.

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The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1409—

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HOUSE BILL NO. 1493—

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AN ACT

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HOUSE BILL NO. 1618—

BY REPRESENTATIVE FAUCHEUX
AN ACT

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The bill was read by title; lies over under the rules.

Senator Bajoie in the Chair

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 106—

BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 34:851.31(A)(1) and to enact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around public boat launches and public and commercial docking facilities; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 198—

BY REPRESENTATIVES BRUNEAU, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GEYMAN, GLOVER, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MURRAY, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 47:1206 and to repeal Chapter 14 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1201 through 1212, relative to the gift tax; to phase in a reduction and repeal of the gift tax; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 273—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 32:63(B), relative to speed limits; to establish a minimum speed limit on certain portions of interstate highways; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 389 (Duplicate of Senate Bill No. 358)—

BY REPRESENTATIVE MURRAY AND SENATOR BAJOIE AND COAUTHORED BY MARCHAND

AN ACT

To amend and reenact R.S. 19:136, 136.1(1), (3), and (4)(d), 136.2(B), 136.3(2) and (3)(a), 136.6 through 136.8, 136.9(B), and 136.11, to enact R.S. 19:136.12, and to repeal R.S. 19:136.1(4)(e) and 136.10, relative to the expropriation of blighted or abandoned property by the city of New Orleans; to provide for the applicability to redemptive periods; to provide relative to the definition of "abandoned property"; to provide for notice to the owner; to provide for substantial rehabilitation and the payment of taxes and liens; to provide for the contents and notice of the petition for expropriation; to provide relative to the answer and opposition to the petition and for the waiver of defenses; to provide for the cancellation of inscriptions; to provide for the sale or transfer of expropriated property to third persons; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Page 6 SENATE

May 4, 2004

19th DAY'S PROCEEDINGS

Conforming Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 389 by Representative Murray (Duplicate of Senate Bill No. 358)

AMENDMENT NO. 1

On page 5, line 10, change "opposition" to "motion to dismiss"

AMENDMENT NO. 2

On page 5, line 11, change "an opposition" to "a motion to dismiss"

AMENDMENT NO. 3

On page 5, line 13, change "opposition" to "motion"

On motion of Senator Bajoie, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 358, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 391—

BY REPRESENTATIVES MURRAY AND MARCHAND
AN ACT

To amend and reenact R.S. 9:4821(1) and R.S. 13:2575(B)(2)(f), (C), and (F) and 2576 and to enact R.S. 13:4367, relative to the administrative adjudication of public health, housing, and environmental violations; to provide for applicability of certain provisions to municipalities with a population greater than four hundred fifty thousand; to provide relative to administrative hearings; to provide for waiver of collection or enforcement of liens; to provide for release given to subsequent purchasers; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 488—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 44:20(B) and to enact R.S. 44:20(C), relative to the recordation of discharge records from the armed forces; to provide for exemption of certain military discharge records from the public records law; to provide for release of certain military discharge records to the veteran and certain other persons; to provide for the limited release of other military discharge records; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 505—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 49:316.1(A)(2)(a) and to enact R.S. 49:316.1(A)(2)(c), relative to payments by treasury approved credit and debit cards; to provide for fees charged on transactions administered by third-party processors for the Department of Revenue or the Department of Transportation and Development; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 532—

BY REPRESENTATIVES JOHNS, BOWLER, AND WALKER
AN ACT

To amend and reenact R.S. 9:315.16, relative to child support; to provide for the review of the child support guidelines; to provide for the membership of the committee; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 600—

BY REPRESENTATIVES JACK SMITH AND PIERRE AND
SENATORS B. GAUTREAUX AND MALONE
AN ACT

To enact R.S. 56:319.2, relative to exotic fish; to provide for the designation of fish as exotic; to provide for the taking of exotic fish; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 649—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 36:354(E)(2), relative to powers and duties of the secretary of the Department of Natural Resources; to authorize the training and certification of home energy raters by the office of the secretary; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 690—

BY REPRESENTATIVE BADON
AN ACT

To enact R.S. 14:95.1.1, relative to offenses affecting the public safety; to create the crime of illegally supplying a felon with a firearm; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 695—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact Subpart C of Part V of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:291, relative to management of wild animals; to prohibit the intentional feeding of bears in the wild; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 706—

BY REPRESENTATIVE HEBERT
AN ACT

To repeal R.S. 22:81(2), relative to domestic insurance corporations; to repeal certain shareholder requirements for directors.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 744—

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, AND SALTER

AN ACT

To enact R.S. 44:22, relative to public records; to exempt certain records in the custody of the Department of Economic Development pertaining to negotiations relative to economic development activities from the laws relative to public records until negotiations are concluded; to provide for certain determinations by the secretary of the Department of Economic Development; to provide for notice; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 849—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 56:109.1, relative to wildlife management areas; to provide for the use of all-terrain vehicle trails in such areas year round; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 880—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1522, relative to the Department of Revenue; to authorize the secretary to enter into contracts to conduct alternative dispute resolution to assist in the collection of any taxes, penalties, or interest due; to limit the total tax liability subject to arbitration or mediation to five million dollars; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 884—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact Children's Code Article 610(B)(8) and (D) and to enact Children's Code Article 610(B)(9), relative to child abuse reporting and investigation; to create an optional written form for the assistance of mandatory reporters; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 609, was read by title and returned to the calendar, subject to call.

HOUSE BILL NO. 900—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact Children's Code Article 610(A) and (E), relative to child abuse mandatory reporting procedure; to permit reporting to both the local child protection unit and the local or state law enforcement agency; to provide for reporting of certain

cases to a law enforcement agency; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Bajoie to Engrossed House Bill No. 900 by Representative Winston (Duplicate of Senate Bill No. 638)

AMENDMENT NO. 1

On page 1, line 4, after "to provide" delete the remainder of the line and delete line 5 in its entirety and insert in lieu thereof the following: "relative to cases which are reported in error; to require that such cases be reported to the appropriate agency; and to provide for related matters."

AMENDMENT NO. 2

On page 2, line 10, change "law" to "local law"

AMENDMENT NO. 3

On page 2, at the beginning of line 11, delete "local" and change "The local" to "A local"

AMENDMENT NO. 4

On page 2, line 14, after "the" delete the remainder of the line and delete line 15 in its entirety and insert in lieu thereof the following: "local child protection unit and the law enforcement agency. The local child protection unit also shall report all"

AMENDMENT NO. 5

On page 2, line 21, delete "for"

On motion of Senator Bajoie, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 638, was read by title and returned to the calendar, subject to call.

HOUSE BILL NO. 1060—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 22:228.6(B)(2)(b), relative to health insurance, to provide relative to premiums charged for individual health insurance policies or subscriber agreements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1154—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact Children's Code Article 603(3) and to repeal R.S. 46:1441.6(A), relative to child care; to relocate the responsibilities of the investigations of abuse and neglect; to change definitions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1378—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:756(B), 771(22)(a)(i), 772(A)(1), 774(G)(1), and 780(B) and R.S. 36:4.1(D)(14) and to enact R.S. 32:771(22)(b)(vi) and 774.1, relative to used motor vehicle dealers; to provide for expiration of license of automotive dismantler and parts recycler; to provide for auctioning of used cars; to rename the Louisiana Used Motor Vehicle and Parts Commission to the Recreational and Used Motor Vehicle Commission; to provide relative to certain license fees; to create the rent with option-to-purchase program; to provide relative to certain penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1388—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 42:455(A)(2)(b), relative to payroll deductions; to provide payroll deductions for certain domestic companies; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1444—

BY REPRESENTATIVE SMILEY (BY REQUEST)

AN ACT

To amend and reenact R.S. 18:1307(A)(3), relative to applications to vote absentee by mail; to provide for the address given to a registrar of voters by a person submitting an application to vote absentee by mail; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1446—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 37:2504(G), relative to the Board of Examiners of Nursing Facility Administrators; to authorize the board to purchase immovable property and to incur debt; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1450—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 18:402(B), (E)(1)(b) and (2)(b), and (F)(2), 467(2), 469(D)(2), and 1272(A), relative to election dates; to provide for the dates of the congressional elections and other elections held at the same time as the congressional

elections; to provide for qualifying periods for such elections; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1456—

BY REPRESENTATIVES PIERRE, DANIEL, FRITH, MORRISH, AND JACK SMITH

AN ACT

To amend and reenact R.S. 56:109(D)(5) and 647.1 and to enact R.S. 56:104(D) and 302.2(C), relative to hunting and fishing licenses; to authorize exemptions from certain licensing requirements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1458—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact Code of Criminal Procedure Article 930.8(C), relative to the prescriptive period for post-conviction relief; to provide for notice to the defendant of the prescriptive period for post-conviction relief; to provide for waiver of rights; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 1461—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 32:389(D)(2), relative to weights and standards stationary scale police; to provide relative to appointment of the panel that reviews citations issued by weights and standards stationary scale police officers; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1467—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 56:25 and to repeal R.S. 56:26, 644, and 645, relative to fish and wildlife restoration and management projects; to specify that the department will adhere to the provisions of federal law which govern the use of federal funds for fish and wildlife habitat restoration projects; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1472—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 35:281, relative to the certain filings with the board of assessors in Orleans Parish; to require taxpayers to notify the board of change; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1479—

BY REPRESENTATIVES BRUCE AND MARTINY
AN ACT

To amend and reenact R.S. 14:95(H), relative to the illegal carrying of weapons; to amend the exception for judges, district attorneys, and coroners to require that they be qualified annually in the use of firearms; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 1543—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 40:1236.13(A)(3)(a) and 1236.14, relative to automated external defibrillators; to authorize the use of automated external defibrillators by private security personnel; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1694 (Substitute for House Bill No. 500 by Representative Hammett)—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1520, relative to the Department of Revenue; to authorize the secretary to require electronic filing of tax returns or reports under certain circumstances; to require that the electronic filing requirement be implemented through administrative rule; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1696 (Substitute for House Bill No. 1303 by Representative Hammett)—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1621(E) and 1624(A) and to enact R.S. 47:115(C), relative to refunds and credits; to provide for certain situations in which interest on refunds of overpayments will begin to accrue; to provide for the recovery of credits given for overpayments later deemed invalid; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

ENVIRONMENTAL QUALITY

Senator Fontenot, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

May 4, 2004

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

HOUSE BILL NO. 838—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2025(E)(1)(a), relative to civil penalties for violations of the Environmental Quality Act; to increase the maximum civil penalty; and to provide for related matters.

Reported favorably.

Respectfully submitted,
HEULETTE "CLO" FONTENOT
Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Chaisson, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

May 4, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

SENATE BILL NO. 164—

BY SENATOR N. GAUTREAU
AN ACT

To amend and reenact R.S. 14:91.1(A), relative to sexually violent predators; to provide that sexually violent predators remain at least one thousand feet away from certain locations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 470—

BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 14:95.1(A), relative to possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 41—

BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 15:708(A)(1)(a), relative to work programs for prisoners; to authorize parish prisoners to participate in work activities in or upon the buildings, other

improvements, or property of certain tax-exempt organizations;
and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOEL T. CHAISSON, II
Chairman

REPORT OF COMMITTEE ON

RETIREMENT

Senator Boissiere, Chairman on behalf of the Committee on
Retirement, submitted the following report:

May 3, 2004

To the President and Members of the Senate:

I am directed by your Committee on Retirement to submit the
following report:

SENATE BILL NO. 130—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 33:1448(G), relative to group insurance
for sheriffs and deputy sheriffs; to remove the requirement that
the sheriff of any parish with a population of between one
hundred thousand and one hundred two thousand pay certain
premium costs of specified group insurance for certain retired
officials and employees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 778—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 11:515(3), 826, and 1303, relative to
certain consolidated public retirement systems; to require
approval of the annual operating budgets of certain consolidated
public retirement systems by the Joint Legislative Committee on
the Budget ; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 792—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 11:471(A) and to enact R.S. 11:441(G),
relative to Louisiana State Employees' Retirement System; to
provide with respect to survivors benefits; to provide with
respect to eligibility for retirement for new members; to require
new members to have ten years of service at age sixty to be
eligible for retirement; to provide for an effective date; and to
provide for related matters.

Reported with amendments.

SENATE BILL NO. 829—

BY SENATORS THEUNISSEN AND MOUNT
AN ACT

To enact R.S. 11:413(15)(a), (b), and (c), relative to the Louisiana
State Employees' Retirement System; to provide with respect
to membership in the Louisiana State Employees' Retirement
System for any political subdivision created by state law with
a parish wide jurisdiction in a parish with a population of not
less than one hundred eighty thousand or more than one hundred
eighty-five thousand according to the latest federal decennial
census; to provide that employees of any political subdivision
created by state law with a parish wide jurisdiction in a parish
with a population of not less than one hundred eighty thousand
or more than one hundred eighty-five thousand according to the
latest federal decennial census shall not be eligible to become
members of the Louisiana State Employees' Retirement System;
to provide with respect to employee and employer
contributions; to provide for an effective date; and to provide for
related matters.

Reported with amendments.

SENATE BILL NO. 835—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:269, relative to state and statewide public retirement
or pension systems, funds and plans; to require consultants and
money managers to disclose relationships; to provide for an
effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LAMBERT BOISSIERE, JR.
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Marionneaux, Chairman on behalf of the Committee on
Judiciary B, submitted the following report:

May 4, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the
following report:

SENATE CONCURRENT RESOLUTION NO. 66—
BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To recognize the Boeuf River Band of Cherokees as an Indian tribe of
Louisiana.

Reported with amendments.

SENATE BILL NO. 60—
BY SENATOR FIELDS

AN ACT

To enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:743 through 749, R.S. 15:1225, and R.S. 36:4(B)(1)(r), relative to wrongfully incarcerated prisoners; to create the Wrongfully Incarcerated Compensation Board; to provide for definitions; to place such board under the administration of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to provide for membership of such board; to prohibit compensation for such members; to require payment of per diem and travel expenses for such members; to provide for eligibility of claimants; to provide relative to form of application; to establish time limits of application; to provide for powers and duties of the board; to authorize the promulgation of rules and regulations by the board; to authorize public hearings for determination of compensation; to authorize payment of compensation upon findings by the board that such payment is justified; to authorize emergency awards at the discretion of the board and under certain circumstances; to limit the amount of such emergency awards; to create the Wrongfully Incarcerated Compensation Fund; to create the crime of fraudulent procurement or counseling fraudulent procurement of compensation from the fund and provide penalties for such crime; to authorize payment of attorney fees; to limit the amount of such fees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 66—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 15:574.2(B)(1), relative to parole; to require a majority vote of the parole board members constituting a panel to grant parole; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 527—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 15:572.1(A) and (E), relative to Board of Pardons; to provide that all actions of the board shall require the favorable vote of a majority of those board members present; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 594—
BY SENATOR BAJOE

AN ACT

To enact Part IX of Chapter 4 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:571.61, relative to post-release facilities; to provide for a pilot program in the Department of Public Safety and Corrections; to provide for the duties of the department; to provide for reports; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 816—
BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 15:574.4(L), relative to parole; to provide relative to educational and skills requirements for parolees prior to release; to provide relative to decisions of the Board of Parole; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT MARIONNEAUX, JR.
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 4, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE BILL NO. 166—

BY SENATORS HAINKEL, ADLEY, BARHAM, ELLINGTON, KOSTELKA, MICHOT, NEVERS, SCHEDLER AND SMITH
A JOINT RESOLUTION

Proposing to add Article XII, Section 15 of the Constitution of Louisiana, relative to marriage; to create the Defense of Marriage Act; to provide for the effect of any action creating a same-sex marriage; to prohibit the effect of any right or claim arising from such relationship; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 169—
BY SENATOR IRONS

AN ACT

To amend and reenact Children's Code Articles 607(A) and 1016(B), relative to the protection of children; to provide with respect to right to counsel for children in the custody of the state; to provide for qualified counsel in child protection proceedings in accordance with federal Child Abuse Prevention and Treatment Act requirements; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 302—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1299.39.1 and 1299.47, relative to medical malpractice; to provide for medical review panel reports to be non-reportable; to provide for the filing of a request for a medical review panel to be non-reportable; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 539—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 46:460.21(A)(3), (4) and (5), (B)(1), the introductory paragraph of (C), (C)(1)(g), and (F), and to enact R.S. 46:460.21(A)(6), (C)(1)(h), and (C)(4), relative to Public Welfare and Assistance; to provide with respect to fees in child protection cases; to provide for an annual reserve for out-of-pocket expenses; to provide a time limit for the submission of payment request forms; to require specific attorney certifications; to provide authorization for suspension of payments not meeting necessary requirements; to require rule-making relative to recommendations of the Task Force on Legal Representation in Child Protection Cases; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 746—
BY SENATOR N. GAUTREAUX

AN ACT

To enact Code of Civil Procedure Art. 4843(L), relative to the city courts of Abbeville and Kaplan; to increase the civil jurisdiction of the courts; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 805—
BY SENATOR ADLEY

AN ACT

To enact R.S. 13:3881(A)(6), relative to general exemptions from seizure; to provide that federal earned income tax credit of a debtor shall be exempt from seizure; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 861—
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 9:315.40(9) and 315.41(A) and to enact R.S. 9:315.40(4)(d), relative to child support; to provide relative to the suspension of licenses for nonpayment of child support; to provide for definitions; to include licenses for the operation of motorboats, sailboats, and trailers in the definition of licenses; to provide for the suspension of such additional licenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1011—
BY REPRESENTATIVE JOHNS

AN ACT

To repeal Section 2 of Act 1005 of the 2003 Regular Session, relative to the terms of options and rights of first refusal relating to the sale of immovable property; to repeal provisions of Act 1005 of the 2003 Regular Session providing for retroactive application to claims existing or actions pending; to provide for prospective application of Act 1005; to provide for applicability of this Act; and to provide for related matters.

Reported favorably.

Respectfully submitted,

ARTHUR J. "ART" LENTINI
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 101—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:352(C), and to enact R.S. 13:352(D), relative to expenses of judges of courts of appeal; to eliminate provisions which authorize the use of the balance of filing fees in the courts of appeal to be used for reimbursement of expenses; to authorize an unvouchered expense allowance from such funds; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 121—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to compensation of election commissioners; to provide for additional compensation of commissioners; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 121 by Senator Jones

AMENDMENT NO. 1

On page 1, line 10, change "~~one~~ two hundred" to "one hundred seventy-five "

AMENDMENT NO. 2

On page 1, line 11, after "he serves." insert "The clerk of court of each parish shall transmit to the Department of Elections and Registration the names, addresses, and social security numbers of all persons who served as commissioners-in-charge on election day in that parish no later than seven days after the election. Any commissioner-in-charge who has served at a polling place on an election day shall be compensated within thirty-seven days after the election."

AMENDMENT NO. 3

On page 2, line 2, change "and fifty" to "twenty-five "

AMENDMENT NO. 4

On page 2, line 3, after "thirty-five dollars." insert "The clerk of court of each parish shall transmit to the Department of Elections and Registration the names, addresses, and social security numbers of all persons who served as commissioners on election day in that parish no later than seven days after the election. Any commissioner who

has served at a polling place on an election day shall be compensated within thirty-seven days after the election."

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered reengrossed and passed to a third reading.

SENATE BILL NO. 468—
BY SENATOR FONTENOT

AN ACT

To enact Part II of Chapter 21 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2551 and 2552, relative to environmental quality; to provide for the Brownfields Cleanup Revolving Loan Fund; to provide for purpose; to provide for capitalization; to provide for uses; to provide for authority to make loans, grants, and incur debt; to provide for the administration of the fund; to provide for bonds, notes, or other evidence of indebtedness; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 468 by Senator Fontenot

AMENDMENT NO. 1

On page 1, at the end of line 17, insert: "The legislature further finds and declares that providing loans for cleanup of brownfields sites will result in benefits to the public by reducing risk to public health and the environment."

AMENDMENT NO. 2

On page 2, line 15, between "properties" and the period "." insert: ", except as provided in Subsection C of this Section"

AMENDMENT NO. 3

On page 2, between lines 24 and 25 insert the following: "C. Responsible persons shall not be eligible to apply for or receive loans pursuant to this Part."

AMENDMENT NO. 4

On page 2, line 25, change "C." to "D."

AMENDMENT NO. 5

On page 2, between lines 28 and 29, insert the following: "E. Prior to making a loan, the department shall determine that the applicant has the ability to repay the loan. Further, the department may require security for loans made pursuant to this Part."

AMENDMENT NO. 6

On page 2, line 29, change "D." to "F."

AMENDMENT NO. 7

On page 3, at the end of line 1, insert the following: "These rules shall include but not be limited to:

- (1) Eligibility requirements of the entity or person and properties.
- (2) Criteria for ranking and selecting applicants.
- (3) Procedures for making and repaying loans.

(4) Requirement of security for loans to eligible non-profits and private entities.

(5) Establishment of procedures for interest rates on loans.

G. As used in this Part, the following terms shall have the meaning ascribed to them in this Subsection, unless the context clearly indicates otherwise:

(1) "Brownfields site" means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

(2) "Loan" means a loan of money from the Brownsfields Cleanup Revolving Loan Fund.

(3) "Non-profit organization" means any corporation, trust, association, cooperative, or other organization that is operated primarily for scientific, educational, service, charitable, or similar purpose in the public interest; is not organized principally for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization.

(4) "Responsible person" means responsible person or responsible owner as those terms are defined in R.S. 30:2285.2.

H. On or before March 1, 2005, the department shall provide a report of all loans made, a status of loan repayments, and a report of monies expended from the fund to the House and Senate committees on environmental quality. Thereafter, the department shall provide such report annually."

AMENDMENT NO. 8

On page 3, line 6, between "entity" and "is" insert ", except as provided in R.S. 30:2551(C),"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered reengrossed and passed to a third reading.

SENATE BILL NO. 561—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), and to enact R.S. 18:425.2 and 426.1, relative to the authority of parish boards of election supervisors to provide for two commissioners to work half of an election day; to authorize any parish board of election supervisors in the event of a shortage of commissioners to create two equal work shifts for commissioners; to authorize such parish board of election supervisors to select commissioners to serve one or two shifts on an election day; to provide for the compensation of such commissioners; to require the State Board of Election Supervisors to prescribe uniform rules for the selection, scheduling, and procedures for creating two equal shifts for commissioners on election day; to provide for the compensation of such commissioners; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 561 by Senator Fontenot

AMENDMENT NO. 1

On page 3, line 14, change "two hundred" to "one hundred seventy-five"

AMENDMENT NO. 2

On page 3, line 18, change "and fifty" to "twenty-five"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered reengrossed and passed to a third reading.

SENATE BILL NO. 830—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 40:384(1) and to enact R.S. 40:382(16), 384(29), (30), (31) and (32), and 490(D), relative to housing; to provide for findings and purposes; to provide for definitions; to provide with respect to mixed finance projects; to provide for exemptions; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading**

The following House Bills and Joint Resolutions were read by title and acted upon as follows:

HOUSE BILL NO. 478—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 3:4602(1) and (13), 4623(A), 4671, and 4684, to enact R.S. 3:4602(1.1), (12.2), (13.1), and (14.1), and to repeal R.S. 3:4672(G), 4674, 4676, 4677, 4687, and 4688, relative to the regulation of devices for weighing and measuring petroleum products; to exempt petroleum for specified uses from certain fees; to provide relative to penalties for violations of petroleum weights and measures regulations; to repeal regulations applicable to gasoline blended with ethanol or methanol; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 198, was read by title and referred to the Legislative Bureau.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 501—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 51:1306(introductory paragraph), relative to the Tax Free Shopping Program; to eliminate the requirement that an international visitor show a foreign passport to a retailer at the time of purchase; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the

Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 506—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:301(13)(d), relative to the sales and use tax; to change the source of price data used to determine the sales price of refinery gas; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 898—

BY REPRESENTATIVES HAMMETT, ARNOLD, DOWNS,
FAUCHEUX, HILL, KENNEY, MONTGOMERY, ODINET,
RICHMOND, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:118(I)(introductory paragraph), relative to individual income tax; to provide the authority to waive the estimated income tax penalty in certain situations; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1123—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1578(B)(3) and to enact R.S. 47:1578(C), (D), and (E), relative to the Department of Revenue; to provide for the release of any part of property subject to a recorded lien, privilege, mortgage, or other encumbrance when the state of Louisiana's interest in the part to be released has no value; to provide for the fees and costs associated with the cancellation or release of a lien, privilege, mortgage, or other encumbrance; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1341—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1832(A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 1341 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 7, change "seven" to "five"

AMENDMENT NO. 2

On page 1, line 8, after "state" insert "public service commission districts"

AMENDMENT NO. 3

On page 1, line 14, change "congressional" to "public service commission" and after "districts" insert "not represented by a serving member of the commission"

AMENDMENT NO. 4

On page 1, line 15, change "four" to "two"

AMENDMENT NO. 5

On page 1, line 16, change "congressional" to "public service commission"

AMENDMENT NO. 6

On page 1, line 17, change "congressional" to "public service commission"

AMENDMENT NO. 7

On page 1, line 19, change "congressional" to "public service commission"

AMENDMENT NO. 8

On page 2, line 3, change "congressional" to "public service commission"

AMENDMENT NO. 9

On page 2, line 5, change "congressional" to "public service commission"

AMENDMENT NO. 10

On page 2, line 7, change "four" to "two"

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 696 from the Committee on Finance.

HOUSE BILL NO. 696—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To enact R.S. 39:71(D), relative to budget allotments; to provide for cash advances or seeds to state agencies; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 696 by Representative Alario (Duplicate of Senate Bill No. 502)

AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete the remainder of the line and on line 3, delete "to state agencies;" and insert in lieu thereof the following: "appropriations; to authorize "seeding" funds for state agencies as needed under specific circumstances;"

AMENDMENT NO. 2

On page 1, line 9, change "treasurer." to "treasurer of the state of Louisiana."

AMENDMENT NO. 3

On page 1, line 10 change "operations" to "operation" and between "the" and "agency" insert "state"

AMENDMENT NO. 4

On page 1, line 12, change "agency." to "state agency."

AMENDMENT NO. 5

On page 1, line 14, change "shall be" to "is"

AMENDMENT NO. 6

On page 1, line 15, change "state treasurer." to "treasurer of the state of Louisiana."

AMENDMENT NO. 7

On page 1, line 16, change "shall be" to "is" and change "or" to "and"

AMENDMENT NO. 8

On page 1, delete lines 18 through 20.

On motion of Senator Heitmeier, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 502, was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 390 from the Committee on Judiciary A.

HOUSE BILL NO. 390—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 19:132, 132.1(A), and 132.8, relative to expropriations by the city of New Orleans; to provide for the expropriation of property needed for a street, drainage, water, utility, sewerage, or other capital project prior to judgment in the trial court fixing the amount of compensation due to the

owner of the property; to provide for the application of existing expropriation laws; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Bajoie to Engrossed House Bill No. 390 by Representative Murray (Duplicate of Senate Bill No. 410)

AMENDMENT NO. 1

On page 1, line 2, between "132.8" and the comma "," insert the following: "and to rename Part III-C of Title 19 of the Louisiana Revised Statutes of 1950"

AMENDMENT NO. 2

On page 1, line 6, between "laws;" and "and to" insert the following: "to provide for an effective date; to rename Part III-C of Title 19 of the Louisiana Revised Statutes of 1950;"

AMENDMENT NO. 3

On page 1, line 12, between "reenacted" and "to" insert the following: "and Part III-C of Title 19 of the Louisiana Revised Statutes of 1950 is hereby renamed"

On motion of Senator Bajoie, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 410, was read by title and referred to the Legislative Bureau.

Mr. President in the Chair

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

**SENATE BILL NO. 114—
BY SENATOR JONES**

A JOINT RESOLUTION

Proposing to repeal Article III, Section 4(E) of the Constitution of Louisiana, relative to the terms of office of legislators; to eliminate provisions which limit the number of consecutive terms a member of the Senate may serve in the Senate; to eliminate provisions which limit the number of consecutive terms a member of the House of Representatives may serve in the House of Representatives; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Irons
Bajoie	Gautreaux, B	Jackson
Boissiere	Hainkel	Jones
Cain	Heitmeier	Marionneaux
Duplessis	Holden	
Total—14		

NAYS

Adley	Fields	Mount
Amedee	Fontenot	Nevers
Barham	Gautreaux, N	Romero
Boasso	Hollis	Schedler
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Dupre	Michot	
Total—25		

ABSENT

Total—0

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Jones, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 157—

BY SENATORS CAIN, IRONS, BAJOIE, MICHOT, SMITH,
KOSTELKA, BOISSIERE AND DARDENNE

AN ACT

To amend and reenact R.S. 22:253(A), relative to funeral policies and burial insurance; to provide for payment of benefits to policy holders; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Schedler
Cain	Holden	Smith
Chaisson	Hollis	Theunissen
Cheek	Irons	Ullo
Dardenne	Jackson	
Duplessis	Jones	
Total—34		

NAYS

Cravins	Lentini
Fontenot	Malone
Total—4	

ABSENT

Romero
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 171—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 47:1832 (A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

On motion of Senator Dupre, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 215—
BY SENATOR FIELDS

AN ACT

To enact R.S. 22:652.5 and to repeal R.S. 22:1481 through 1494, relative to personal insurance; to prohibit use of credit information in determining whether to refuse to issue or renew; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Holden
Adley	Duplessis	Hollis
Amedee	Dupre	Irons
Bajoie	Ellington	Jackson
Boasso	Fields	Jones
Boissiere	Fontenot	Marionneaux
Cain	Gautreaux, B	McPherson
Cheek	Gautreaux, N	Ullo

Cravins	Heitmeier
Total—26	

NAYS

Barham	Lentini	Schedler
Chaisson	Malone	Smith
Hainkel	Michot	Theunissen
Kostelka	Nevers	
Total—11		

ABSENT

Mount	Romero
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 337—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 24:513(I)(1)(c)(i)(aa), relative to audit requirements; to provide that monies received from urban or rural development grants shall not be included in the computation of threshold limits for audit requirements; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Marionneaux
Amedee	Fields	Nevers
Bajoie	Fontenot	Schedler
Cheek	Heitmeier	Smith
Cravins	Holden	Theunissen
Dardenne	Hollis	Ullo
Duplessis	Jackson	
Dupre	Jones	
Total—22		

NAYS

Barham	Chaisson	Lentini
Boasso	Gautreaux, N	Malone
Boissiere	Irons	Michot
Cain	Kostelka	
Total—11		

ABSENT

Mr. President	Hainkel	Mount
Gautreaux, B	McPherson	Romero
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Adley asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 337. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

SENATE BILL NO. 351—

BY SENATORS SMITH AND MCPHERSON AND REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 24:513(A)(2) and (I)(1)(a) and R.S. 38:322, relative to audit reports of state agencies, departments, boards and commissions included in the Comprehensive Annual Financial Report; to prescribe the audit requirements of certain state entities; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 351 Senator Smith

AMENDMENT NO. 1

On page 2 at the end of line 8, add "and commissions," and on line 10, delete "and commissions"

On motion of Senator Lentini, the amendments were adopted.

Senator Ellington in the Chair

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 351 by Senator Smith

AMENDMENT NO. 1

On page 1, line 16, after "Report" delete the remainder of the line and on line 17, delete "and other sources in any one fiscal year" and insert the following: "except those levee boards or levee and drainage boards which are defined pursuant to R.S. 38:322"

AMENDMENT NO. 2

On page 2, delete line 9, and on line 10, delete "in any one fiscal year," and insert the following: "with the exception of those levee boards or levee and drainage boards which are defined pursuant to R.S. 38:322,"

AMENDMENT NO. 3

On page 2, line 15, after "individual" delete the rest of the line and insert the following: "levee board or levee and drainage boards which are defined pursuant to R.S. 38:322"

AMENDMENT NO. 4

On page 2, line 20, after "The" delete the remainder of the line and on line 21, delete "or commission" and insert the following: "levee boards or levee and drainage boards which are defined pursuant to R.S. 38:322"

On motion of Senator Cain, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hollis	Theunissen
Ellington	Smith	Ullo
Total—6		

NAYS

Adley	Dardenne	Jackson
Amedee	Duplessis	Jones
Bajoie	Dupre	Kostelka
Barham	Fields	Lentini
Boasso	Gautreaux, B	Malone
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Schedler
Cravins	Irons	
Total—29		

ABSENT

Fontenot	McPherson
Marionneaux	Romero
Total—4	

The Chair declared the amended bill failed to pass. Senator Adley moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

SENATE BILL NO. 366—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1484.4(C)(4)(a), (b), (c) and (e), relative to air-supported structures; to increase and to impose new fines for violations; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 366 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2 after "and (e)," insert "and 1484.9(A)(intro para),"

AMENDMENT NO. 2

On page 1, line 6 after "and (e)" insert ", and 1484.9(A)(intro para)"

AMENDMENT NO. 3

On page 2, after line 23 insert the following:

"§1484.9. Insurance; bond

A. No person shall operate an **air-supported structure**, amusement attraction or ride unless at the time there is in existence:

* * *

On motion of Senator Hines, the amendments were adopted.

The bill was read by title. Senator Hines moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux, B	McPherson
Amedee	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cheek	Holden	Nevers
Cravins	Hollis	Smith
Duplessis	Irons	Theunissen
Ellington	Jackson	Ullo
Fields	Jones	
Fontenot	Marionneaux	
Total—25		

NAYS

Adley	Dardenne	Lentini
Barham	Dupre	Malone
Boasso	Hainkel	Romero
Cain	Kostelka	Schedler
Total—12		

ABSENT

Bajoie	Chaisson
Total—2	

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Hines, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

SENATE BILL NO. 388—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 36:4(B)(17) and R.S. 49:210.2, relative to the office of the governor; to create the office of the coordinator of faith-based programs within the office of the governor; to provide for the duties and responsibilities of the coordinator; and to provide for related matters.

On motion of Senator McPherson, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 471—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1505.2(A), relative to elections; to provide for the imposition of a penalty on a person who makes a campaign contribution through or in the name of another person; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Hainkel
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 631—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1127(C)(1) and (3) and (D) and to enact R.S. 23:1021(14), relative to nurse case managers; to provide for clarification of the availability of medical records for

medical case managers; to provide a definition of medical case managers; and to provide for related matters.

On motion of Senator Jones, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 655—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 33:1352(3) and (5), 1353(A)(1), (3), (4) and (B), 1355, 1356, 1357, 1359(A), (B), (D), and (E), and 1360; and to repeal R.S. 33:1352(6) relative to self insurance programs for local housing authorities; relative to administration of self insurance funds; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 655 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 9, change "and/or" to "or"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Hainkel
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 693—
BY SENATOR DUPRE

AN ACT

To amend R.S. 18:1280.21 and 18:1280.25; to provide relative to the presidential preference primary; to provide relative to the participation of persons registered as an independent or not otherwise registered in a recognized political party; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 693 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 1, following "of one" and before "of the recognized" delete "of the election"

AMENDMENT NO. 2

On page 2, line 1, following "political" and before "Notwithstanding" change "party." to "parties."

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cravins	Irons
Adley	Duplessis	Jackson
Amedee	Dupre	Jones
Bajoie	Ellington	Malone
Barham	Fields	Marionneaux
Boissiere	Fontenot	Nevers
Cain	Gautreaux, N	Smith
Chaisson	Heitmeier	
Cheek	Holden	
Total—25		

NAYS

Boasso	Hollis	Romero
Dardenne	Kostelka	Theunissen
Gautreaux, B	Lentini	Ullo
Hainkel	Michot	
Total—11		

ABSENT

McPherson Mount Schedler
Total—3

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Malone asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 693. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

SENATE BILL NO. 701—
BY SENATOR BAJOIE

AN ACT

To enact R.S. 46:1441.14, relative to family child care providers; to provide for required participation in orientation sessions; to provide that orientation programs shall be approved by the Department of Social Services or the Department of Education; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Hainkel
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 770—
BY SENATOR FIELDS

AN ACT

To enact R.S. 17:1519.2(B)(1)(i), relative to University Medical Center in Baton Rouge; to provide for the establishment of such an entity; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Hainkel
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 815—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 36:259(II) and Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3651 through 3663, relative to the certification of employee assistance professionals; to provide for definitions; to create the Board of Certified Employee Assistance Professionals; to provide for authority of the board; to provide for professional certification requirements; to provide for operation of the board; to provide for procedures for disciplinary action; to provide for confidentiality of records; to provide for protection for the practice of other professions; to provide for prohibited acts and penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 815 by Senator Schedler

AMENDMENT NO. 1

On page 15, line 11, following "R. S." and before "shall" change "37:3551" to "37:3661"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Hainkel
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 822—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:661(A)(2)(b), relative to toxicology screens on victims of all traffic fatalities; to provide for the use of the most current scientific testing available to determine content of alcohol at the time of death; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Boasso
Total—1

ABSENT

Hollis
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 826—

BY SENATOR JACKSON

AN ACT

To enact R.S. 40:5.12, relative to public health; to provide for the creation of an advisory board to establish a standard school health form; to provide for members of the advisory board; to provide for duties of the advisory board; and to provide for related matters.

The bill was read by title. Senator Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler

Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 840—
BY SENATOR JACKSON

AN ACT

To enact R.S. 40:1300.163(F), relative to hepatitis C education; to encourage educational initiatives regarding veterans; and to provide for related matters.

The bill was read by title. Senator Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator McPherson asked that Senate Bill No. 388 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 388—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 36:4(B)(17) and R.S. 49:210.2, relative to the office of the governor; to create the office of the coordinator of faith-based programs within the office of the governor; to provide for the duties and responsibilities of the coordinator; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Motion to Make Special Order

Senator Cravins asked for and obtained a suspension of the rules for the purpose of making House Bill No. 1276, which was just advanced to a third reading and final passage, Special Order of the

Day No. 2 on Wednesday, May 5, 2004 immediately following the Morning Hour.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 4, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 24—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 48:1002(A) and (B)(1), relative to the Monkey Island Ferry; to rename the Monkey Island Ferry located in Cameron Parish to the Martin Luther King, Jr. Ferry; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 500—
BY SENATOR LENTINI AND REPRESENTATIVES WALKER AND ANSARDI

AN ACT

To amend and reenact Code of Civil Procedure Art. 2411(B), relative to garnishment; to provide relative to required documents for such action; to include a notice of seizure as a required document; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 276—
BY SENATOR ADLEY

AN ACT

To enact R.S. 33:1994(F), relative to minimum wages and maximum hours of firemen; to provide that the city of Bossier City may establish a work shift cycle in excess of forty-two hours weekly for operators of fire alarm systems; to provide for overtime hours and pay for such operators; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 4, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 94—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To commend and congratulate Sue Gunter on her career and to acknowledge the high standard of performance she inspired and the high level of integrity and ethical conduct she required for the LSU Women's Basketball Team and all those associated with the program.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 75—
BY SENATORS N. GAUTREAUX, AMEDEE, BOASSO, CHAISSON, DUPRE, B. GAUTREAUX, HAINKEL, MCPHERSON, MOUNT, ROMERO, SCHEDLER, THEUNISSEN, MALONE AND MICHOT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize and fund the establishment of the Coastal Forest Reserve Program, and to urge the United States Department of Agriculture Forest Service, the Louisiana Department of Agriculture and Forestry, and the Louisiana State University School of Renewable Natural Resources, with the assistance from the University of Louisiana at Lafayette and other Louisiana universities, to provide an inventory and assessment of coastal forests.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 56—
BY SENATOR DARDENNE

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of John C. Goodwin, Jr, husband, father, friend, and volunteer firefighter.

On motion of Senator Dardenne, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 95—
BY SENATOR MCPHERSON AND REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION

To establish a framework for permanent regional health care consortiums designed to continue the work begun by the regional summits called by the governor in 2004.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 4, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 27—
BY REPRESENTATIVE E. GUILLORY
AN ACT

To enact R.S. 49:170.12, relative to state symbols; to designate gumbo as the official state cuisine; and to provide for related matters.

HOUSE BILL NO. 32—
BY REPRESENTATIVES MARTINY, BALDONE, AND BRUNEAU
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide for applicability; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 59—
BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 25:215(B)(13), relative to the DeSoto Parish Library; to transfer the administration of and accounting functions for funds of the library from the DeSoto Parish Police Jury to the DeSoto Parish Library Board of Control; and to provide for related matters.

HOUSE BILL NO. 66—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans; to provide for the housing of the Juvenile Court in the new courthouse or at a separate facility; to delete the prohibition

against raising additional fees and the requirement that additional funds be derived from other noncourt cost-related sources for the costs and planning of the new courthouse; to provide that the Joint Legislative Committee on the Budget shall review, rather than approve, the plans and costs of the new courthouse; and to provide for related matters.

HOUSE BILL NO. 68—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 33:1448(N), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of Plaquemines Parish to pay certain premium costs of specified group insurance for certain retired officials and employees; and to provide for related matters.

HOUSE BILL NO. 102—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 33:1448.1, relative to the payment of group insurance premiums for retired sheriffs and deputy sheriffs in Bossier Parish; to create a permanent fund; to require the depositing of certain monies into the fund; to provide for investment of monies in the fund; to authorize the withdrawal of earnings; to provide for limitations on appropriations from the fund; to provide for audits of the fund; and to provide for related matters.

HOUSE BILL NO. 176—
BY REPRESENTATIVE KENNEY
AN ACT

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the village of Baskin to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

HOUSE BILL NO. 181—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(O), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and deputy sheriffs in St. Charles Parish; and to provide for related matters.

HOUSE BILL NO. 193—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 38:2238.2(A)(2)(a), relative to procurement of used fire and emergency response vehicles and equipment by local political subdivisions; to provide with respect to the public notice of the request for proposals; and to provide for related matters.

HOUSE BILL NO. 207—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (J), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Oakdale; and to provide for related matters.

HOUSE BILL NO. 212—

BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 33:2561.1, relative to fire and police civil service; to provide with respect to small municipalities, parishes, and fire protection districts; to authorize the fire and police civil service board to award attorney fees to an appealing employee under certain circumstances; to provide for a maximum award; and to provide for related matters.

HOUSE BILL NO. 271—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:4569.3(11), relative to the Iberville Parks and Recreation District; to increase the maximum rate of ad valorem tax which the district is authorized to levy; and to provide for related matters.

HOUSE BILL NO. 335—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (H), relative to the jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Sulphur; and to provide for related matters.

HOUSE BILL NO. 445—

BY REPRESENTATIVES ODINET AND HUTTER
AN ACT

To amend and reenact Code of Criminal Procedure Article 202(B)(2) and R.S. 15:574.15(A)(2)(introductory paragraph), relative to the authority of a justice of the peace to issue a warrant for the arrest of a teacher; to require an independent investigation and findings in support of the warrant; to authorize a district court judge exercising criminal jurisdiction to parole persons arrested for certain municipal ordinance violations in a municipality having a population of more than four hundred fifty thousand inhabitants according to the census of the United States for 1980 or any subsequent year; and to provide for related matters.

HOUSE BILL NO. 508—

BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(2) and (H), relative to the jurisdictional amount in controversy for the City Court of Shreveport; to increase the jurisdictional amount; and to provide for related matters.

HOUSE BILL NO. 610—

BY REPRESENTATIVES DANIEL, KATZ, AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:4169(A)(1) and (B)(1), relative to water and sewerage collection; to require certain provisions in agreements between water and sewerage service providers; and to provide for related matters.

HOUSE BILL NO. 756—

BY REPRESENTATIVE KENNEY
AN ACT

To enact R.S. 25:215(B)(13), relative to the Caldwell Parish Library; to transfer the administration of and accounting functions for funds of the library from the Caldwell Parish Police Jury to the

Caldwell Parish Library Board of Control; and to provide for related matters.

HOUSE BILL NO. 833—

BY REPRESENTATIVE HUNTER
AN ACT

To repeal R.S. 23:1601(10)(b), relative to unemployment compensation; to remove the provision which requires a fifty percent discount in unemployment benefits after an individual requalifies for benefits subsequent to a disqualification for the use of illegal drugs.

HOUSE BILL NO. 935—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:267(A)(4), relative to the Louisiana Assessors' Retirement Fund; to provide for investing of funds in equity and for an indexing strategy; and to provide for related matters.

HOUSE BILL NO. 949—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System; to allow certain persons to opt out of otherwise mandatory participation; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 952—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 46:1053(K)(2), relative to Hospital Service District No. 1 of the parish of Vermilion; to increase the maximum per diem authorized to be paid to members of the board of commissioners of the district; and to provide for related matters.

HOUSE BILL NO. 962—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 33:130.551(A) and (B) and 130.552(A)(1) and (2), relative to the North Lake Charles Economic Development District; to change the name of the district; to provide for the membership of the board; to provide for termination of existing board terms; to establish initial terms for new board members; and to provide for related matters.

HOUSE BILL NO. 967—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 33:9038.25, relative to the city of Lake Charles; to authorize the governing authority of the city to create a special taxing district; to provide relative to the purpose and boundaries of the district; to provide relative to the governance, powers, and duties of the district; to provide relative to taxes authorized to be levied by the district; and to provide for related matters.

HOUSE BILL NO. 968—

BY REPRESENTATIVE FANNIN
AN ACT

To enact Chapter 25-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1215.1 through 1215.6, relative to museum boards; to authorize the governing authority of the parish of Jackson to create a museum board; to provide

relative to the purpose, membership, and powers of the board; to provide relative to board funding; and to provide for related matters.

HOUSE BILL NO. 971—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 13:756.12, relative to establishing a branch office of the clerk of court in DeSoto Parish; to authorize the clerk of court of the parish of DeSoto to establish a branch office in Stonewall; to provide for duties and functions of the branch office; and to provide for related matters.

HOUSE BILL NO. 983—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:1455(B), relative to the Louisiana Assessors' Retirement Fund; to provide for a lump sum repayment of withdrawn employee contributions; and to provide for related matters.

HOUSE BILL NO. 1037—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1127(C)(1), 1226(B)(3)(c) and (E), 1310.3(B)(1) and (C), 1310.4(B), 1316.1(C), and 1317(B), relative to workers' compensation hearings procedures; to provide for a reduction in weekly compensation; to provide for mediation procedures; to provide for service of process; to provide for venue; to provide for default judgments; to provide for expert witness fees; and to provide for related matters.

HOUSE BILL NO. 1160—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 33:423.14 and 2569, relative to the police department in certain municipalities; to provide that the position of assistant police chief shall be in the unclassified service; to provide for the appointment and duties of such person; and to provide for related matters.

HOUSE BILL NO. 1356—

BY REPRESENTATIVE SHEPHERD

AN ACT

To enact R.S. 23:1205(C), relative to workers' compensation; to require health care benefits providers to pay medical expenses under certain circumstances; to provide for penalties and attorney fees; to provide for the recovery of paid medical expenses; and to provide for related matters.

HOUSE BILL NO. 1431—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 37:2551(D), relative to the Board of Examiners of Certified Shorthand Court Reporters; to provide for the payment of per diem to board members; to restrict the number of per diem payments for special meetings; and to provide for related matters.

HOUSE BILL NO. 1438—

BY REPRESENTATIVE MURRAY

AN ACT

To repeal R.S. 23:1021(12) and 1225(D), relative to workers' compensation benefits; to repeal provisions that provide for a reduction or offset of workers' compensation benefits payable to professional athletes.

HOUSE BILL NO. 1501—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 33:4712.10, relative to naming an administrative building; to authorize the parish governing authority in certain parishes to name an administrative building in honor of a former parish president; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 1512—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 33:4712.10, relative to naming an entryway or entry plaza to parish administrative buildings; to authorize the parish governing authority in certain parishes to name a common entryway or plaza for parish administrative buildings in honor of a former parish councilman; to provide limitations; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 27—

BY REPRESENTATIVE E. GUILLORY

AN ACT

To enact R.S. 49:170.12, relative to state symbols; to designate gumbo as the official state cuisine; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 32—

BY REPRESENTATIVES MARTINY, BALDONE, AND BRUNEAU

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide for applicability; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 59—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 25:215(B)(13), relative to the DeSoto Parish Library; to transfer the administration of and accounting functions for funds of the library from the DeSoto Parish Police Jury to the DeSoto Parish Library Board of Control; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 66—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans; to provide for the housing of the Juvenile Court in the new courthouse or at a separate facility; to delete the prohibition against raising additional fees and the requirement that additional funds be derived from other noncourt cost-related sources for the costs and planning of the new courthouse; to provide that the Joint Legislative Committee on the Budget shall review, rather than approve, the plans and costs of the new courthouse; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 68—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 33:1448(N), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of Plaquemines Parish to pay certain premium costs of specified group insurance for certain retired officials and employees; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 102—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 33:1448.1, relative to the payment of group insurance premiums for retired sheriffs and deputy sheriffs in Bossier Parish; to create a permanent fund; to require the depositing of certain monies into the fund; to provide for investment of monies in the fund; to authorize the withdrawal of earnings; to provide for limitations on appropriations from the fund; to provide for audits of the fund; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 176—

BY REPRESENTATIVE KENNEY

AN ACT

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the village of Baskin to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 181—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(O), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and deputy sheriffs in St. Charles Parish; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 193—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 38:2238.2(A)(2)(a), relative to procurement of used fire and emergency response vehicles and equipment by local political subdivisions; to provide with respect to the public notice of the request for proposals; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 207—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (J), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Oakdale; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 212—

BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 33:2561.1, relative to fire and police civil service; to provide with respect to small municipalities, parishes, and fire protection districts; to authorize the fire and police civil service board to award attorney fees to an appealing employee under certain circumstances; to provide for a maximum award; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 271—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 33:4569.3(11), relative to the Iberville Parks and Recreation District; to increase the maximum rate of ad valorem tax which the district is authorized to levy; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 335—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (H), relative to the jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Sulphur; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 445—

BY REPRESENTATIVES ODINET AND HUTTER
AN ACT

To amend and reenact Code of Criminal Procedure Article 202(B)(2) and R.S. 15:574.15(A)(2)(introductory paragraph), relative to the authority of a justice of the peace to issue a warrant for the arrest of a teacher; to require an independent investigation and findings in support of the warrant; to authorize a district court judge exercising criminal jurisdiction to parole persons arrested for certain municipal ordinance violations in a municipality having a population of more than four hundred fifty thousand inhabitants according to the census of the United States for 1980 or any subsequent year; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 508—

BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(2) and (H), relative to the jurisdictional amount in controversy for the City Court of Shreveport; to increase the jurisdictional amount; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 610—

BY REPRESENTATIVES DANIEL, KATZ, AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:4169(A)(1) and (B)(1), relative to water and sewerage collection; to require certain provisions in agreements between water and sewerage service providers; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 756—

BY REPRESENTATIVE KENNEY
AN ACT

To enact R.S. 25:215(B)(13), relative to the Caldwell Parish Library; to transfer the administration of and accounting functions for funds of the library from the Caldwell Parish Police Jury to the Caldwell Parish Library Board of Control; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 833—

BY REPRESENTATIVE HUNTER
AN ACT

To repeal R.S. 23:1601(10)(b), relative to unemployment compensation; to remove the provision which requires a fifty percent discount in unemployment benefits after an individual qualifies for benefits subsequent to a disqualification for the use of illegal drugs.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 935—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:267(A)(4), relative to the Louisiana Assessors' Retirement Fund; to provide for investing of funds in equity and for an indexing strategy; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 949—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System; to allow certain persons to opt out of otherwise mandatory participation; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 952—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 46:1053(K)(2), relative to Hospital Service District No. 1 of the parish of Vermilion; to increase the maximum per diem authorized to be paid to members of the board of commissioners of the district; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 962—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 33:130.551(A) and (B) and 130.552(A)(1) and (2), relative to the North Lake Charles Economic Development District; to change the name of the district; to provide for the membership of the board; to provide for termination of existing board terms; to establish initial terms for new board members; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 967—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 33:9038.25, relative to the city of Lake Charles; to authorize the governing authority of the city to create a special taxing district; to provide relative to the purpose and boundaries of the district; to provide relative to the governance, powers, and duties of the district; to provide relative to taxes authorized to be levied by the district; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 968—

BY REPRESENTATIVE FANNIN
AN ACT

To enact Chapter 25-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1215.1 through 1215.6, relative to museum boards; to authorize the governing authority of the parish of Jackson to create a museum board; to provide relative to the purpose, membership, and powers of the board;

to provide relative to board funding; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 971—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 13:756.12, relative to establishing a branch office of the clerk of court in DeSoto Parish; to authorize the clerk of court of the parish of DeSoto to establish a branch office in Stonewall; to provide for duties and functions of the branch office; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 983—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:1455(B), relative to the Louisiana Assessors' Retirement Fund; to provide for a lump sum repayment of withdrawn employee contributions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1037—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1127(C)(1), 1226(B)(3)(c) and (E), 1310.3(B)(1) and (C), 1310.4(B), 1316.1(C), and 1317(B), relative to workers' compensation hearings procedures; to provide for a reduction in weekly compensation; to provide for mediation procedures; to provide for service of process; to provide for venue; to provide for default judgments; to provide for expert witness fees; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1160—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 33:423.14 and 2569, relative to the police department in certain municipalities; to provide that the position of assistant police chief shall be in the unclassified service; to provide for the appointment and duties of such person; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1356—

BY REPRESENTATIVE SHEPHERD

AN ACT

To enact R.S. 23:1205(C), relative to workers' compensation; to require health care benefits providers to pay medical expenses under certain circumstances; to provide for penalties and attorney fees; to provide for the recovery of paid medical expenses; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1431—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 37:2551(D), relative to the Board of Examiners of Certified Shorthand Court Reporters; to provide for the payment of per diem to board members; to restrict the number of per diem payments for special meetings; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1438—

BY REPRESENTATIVE MURRAY

AN ACT

To repeal R.S. 23:1021(12) and 1225(D), relative to workers' compensation benefits; to repeal provisions that provide for a reduction or offset of workers' compensation benefits payable to professional athletes.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1501—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 33:4712.10, relative to naming an administrative building; to authorize the parish governing authority in certain parishes to name an administrative building in honor of a former parish president; to provide limitations; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1512—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 33:4712.10, relative to naming an entryway or entry plaza to parish administrative buildings; to authorize the parish governing authority in certain parishes to name a common entryway or plaza for parish administrative buildings in honor of a former parish councilman; to provide limitations; and to provide for related matters.

The bill was read by title; lies over under the rules.

Motion to Recommit

Senator Fontenot asked for and obtained a suspension of the rules and recommitted House Bill No. 1478 from the Committee on Finance to the Committee on Commerce, Consumer Protection and International Affairs.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 4, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 153—
BY REPRESENTATIVE GALLOT**A CONCURRENT RESOLUTION**

To commend Dr. Neari F. Warner upon her retirement as acting president of GramblingStateUniversity, to recognize and record her myriad accomplishments and her remarkable contributions to the university, and to extend to her the best wishes of the Legislature of Louisiana as she embarks upon new challenges and endeavors.

HOUSE CONCURRENT RESOLUTION NO. 156—
BY REPRESENTATIVE MURRAY**A CONCURRENT RESOLUTION**

To commend Sandra Wheeler-Hester of New Orleans, recipient of the 2004 Trailblazer Award, for her work on behalf of Orleans Parish public school children.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs****ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 4, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR HINES**A CONCURRENT RESOLUTION**

To express the preference of the Louisiana Legislature to fully fund the Louisiana Senior Prescription Program in the governor's office of elderly affairs.

SENATE CONCURRENT RESOLUTION NO. 89—
BY SENATOR IRONS**A CONCURRENT RESOLUTION**

To designate May, 2004 as "Louisiana Month to Prevent Teen Pregnancy".

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, May 5, 2004, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, May 5, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk